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17 Attorneys for Plaintiff  
18 The Procter & Gamble Company.

19 IN THE UNITED STATES DISTRICT COURT  
20 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
21 SAN FRANCISCO DIVISION

22 THE PROCTER & GAMBLE  
23 COMPANY,

24 Plaintiff,

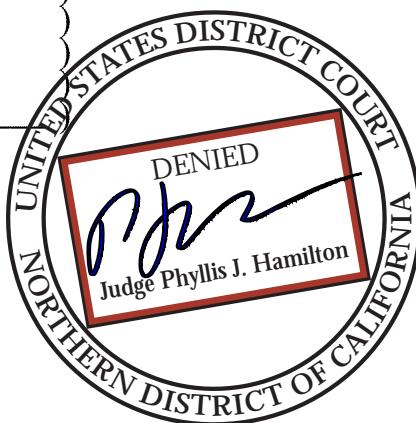
25 v.  
26 RONALD SHAW, JOHN YAN, a/k/a  
27 JOHNNY YAN, SHI DAXIAN, a/k/a DA  
28 XIAN SHI, JOHN DOES AND/OR JANE  
DOES 1 – 50, AND XYZ BUSINESSES,

Defendants.

29 ) Civil Action No. CV-05-02014  
30 ) (PJH)

31 ) **REQUEST TO ATTEND CASE  
32 ) MANAGEMENT  
33 ) CONFERENCE BY  
34 ) TELEPHONE**

35 ) **DATE: September 15, 2005  
36 ) TIME: 2:30 p.m.  
37 ) PLACE: Courtroom 3, 17<sup>th</sup> Flr.**



1 Pursuant to Local Rule 16-10(a) Counsel for Procter & Gamble requests to  
 2 participate in the Case Management Conference by telephone. Lead counsel for  
 3 Procter & Gamble is located in Los Angeles. Participating by telephone will  
 4 substantially reduce costs by avoiding travel expenses and travel time. In addition,  
 5 lead counsel for Procter & Gamble is currently scheduled to participate in a panel  
 6 of the Sedona Conference regarding electronic discovery issues. Participation in  
 7 the case management conference by telephone will enable lead counsel to fulfill his  
 8 obligations regarding the Sedona Conference as well as participate in the case  
 9 management conference as currently scheduled. Procter & Gamble believes that  
 10 participation by telephone will not impact the effectiveness of case management  
 11 conference since lead counsel is fully prepared to address all of the agenda items.

12 Finally, this case has become relatively straight forward. The defendants  
 13 have already stipulated to a preliminary injunction and have conceded that the  
 14 goods in issue were counterfeit. Only issues of knowledge (intent) and the amount  
 15 of recoverable damages are at issue. These issues will need to be addressed by  
 16 some discovery. After this discovery is completed, there would seem to be a  
 17 significant possibility that a settlement could be negotiated with the injunction  
 18 being made permanent and a damages amount agreed upon.

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20 Dated: September 6, 2005

MARK N. MUTTERPERL  
 JENIFER S. MCINTOSH  
 GREGORY B. WOOD  
**FULBRIGHT & JAWORSKI L.L.P.**

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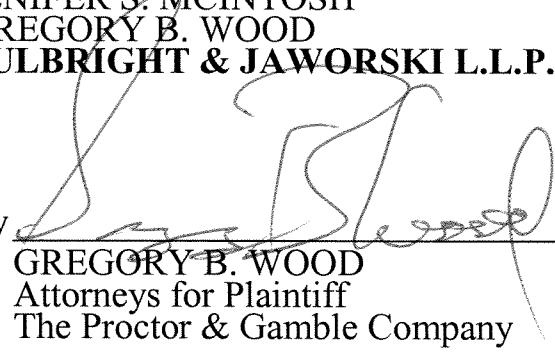
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By



GREGORY B. WOOD  
 Attorneys for Plaintiff  
 The Proctor & Gamble Company

## **PROOF OF SERVICE**

I, Mamie Page, declare:

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 555 South Flower Street, 41<sup>st</sup> Floor, Los Angeles, California 90071. On September 6, 2005, I filed electronically the foregoing with the Clerk using the ECF system, and served a copy of the within document:

## **REQUEST TO ATTEND CASE MANAGEMENT CONFERENCE BY TELEPHONE**

- by transmitting via email attachment as set forth below on this date before 5:00 p.m.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.
- by placing the document(s) listed above in a sealed \_\_\_\_\_ envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a \_\_\_\_\_ agent for delivery.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

Justin X. Wang, Esq.  
Baughman & Wang  
111 Pine St., Suite 1350  
San Francisco, CA 94111  
Tel.: (415) 576-9923  
Fax: (415) 576-9929

lawbw@aol.com

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

1 I declare that I am employed in the office of a member of the bar of this court  
2 at whose direction the service was made.

3 Executed on September 6, 2005, at Los Angeles, California.

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